

76-6-201 Definitions.

As used in this part:

- (1)
 - (a) "Building," in addition to its ordinary meaning, means any watercraft, aircraft, trailer, or other structure or vehicle adapted for overnight accommodation of persons or for carrying on business and includes:
 - (i) each separately secured or occupied portion of the structure or vehicle; and
 - (ii) each structure appurtenant to or connected with the structure or vehicle.
 - (b) "Building" does not include a railroad car.
- (2) "Dwelling" means a building which is usually occupied by a person lodging in the building at night, whether or not a person is actually present.
- (3) "Enter or remain unlawfully" means a person enters or remains in or on any premises when:
 - (a) at the time of the entry or remaining, the premises or any portion of the premises are not open to the public; and
 - (b) the actor is not otherwise licensed or privileged to enter or remain on the premises or any portion of the premises.
- (4) "Enter" means:
 - (a) intrusion of any part of the body; or
 - (b) intrusion of any physical object under control of the actor.
- (5) "Railroad car":
 - (a) in addition to its ordinary meaning, includes a sleeping car or any container or trailer that is on a railroad car; and
 - (b) includes only a railroad car that is operable and part of an ongoing railroad operation.

Amended by Chapter 366, 2008 General Session